

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
MARLIN MOORE,
Defendant.

No. CR 14-00016 MMC

**ORDER DENYING WITHOUT
PREJUDICE DEFENDANT'S MOTION
FOR MODIFICATION OF BOND
CONDITIONS**

Before the Court is defendant Marlin Moore's ("Moore") Motion for Modification of Bond Conditions, filed June 25, 2015, and described therein as "unopposed" by both the Pretrial Services Office and United States Attorney's Office.

By said motion, Moore seeks to add an additional restriction to his pretrial release, specifically, imposition of a curfew with, according to Moore, "all other conditions of [his] current release . . . remain[ing] in full force and effect." (See Mot. at 1:22-26.) In listing those existing conditions, however, Moore has omitted a significant restraint, namely, that he "only leave home for attorney visits, court hearings, and pretrial services visits." (See Order, filed February 10, 2015.) In other words, it appears Moore, without expressly so stating, may be requesting an order substituting a curfew for the previously ordered restrictions on his ability to leave his residence.

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1 Given the ambiguity in the request, at least as described in the motion, the Court
2 has a question as to the scope of any lack of opposition, and, in any event, is not in a
3 position to take action on the request as currently framed.

4 Accordingly, the motion is hereby DENIED without prejudice to Moore's resubmitting
5 the motion in a manner that clarifies the above-described ambiguity.

6 **IT IS SO ORDERED.**

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8 Dated: June 29, 2015


MAXINE M. CHESNEY
United States District Judge